

Notice of Decision



S Gadsby
Skerryvore Designs
Sextons Tower
2 Caerphilly Road
Bassaleg
Newport
NP10 8LE

TOWN AND COUNTRY PLANNING ACT 1990 [as amended]

Application No: **24/1032**

Application Type: **Full**

Proposal: **REPLACEMENT OF EXISTING SUBSTANDARD DWELLING WITH A NEW, HIGH-QUALITY FAMILY HOME DESIGNED TO MEET MODERN LIVING STANDARDS**

Site/Location: **The Hollies, Garden Cottage, Pentre-Poeth Road, Newport, NP10 8RT**

Decision Date: **29th May 2025**

In pursuance of its powers under the above Act the Council of the City of Newport notifies you of its decision in respect of your application, registered by them on 19th December 2024. The application has been:-

Granted with Conditions

STANDARD CONDITIONS

The development must begin not later than the expiration of FIVE YEARS from the date of this permission.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990

ADDITIONAL CONDITIONS

- The development shall be implemented in accordance with the following plans and documents:
 - o Certificate PIA Kingspan BioDisc (Received: 02/05/2025)
 - o Foul Drainage Plan (Drawing ref: SD800 -15B)
 - o Additional Drainage Information (Received: 02/05/2025)
 - o Water Quality Exemption Certificate (Received: 04/04/2025)
 - o Drainage Hierarchy Statement (Received: 02/04/2025)
 - o BA-BB-BAX BioDisc IPS Sales Drawing (Drawing ref: DS1147P)
 - o BioDisc® BA, BAX & BB Installation Manual (Received: 02/04/2025)
 - o Arboricultural Impact Assessment & Method Statement (Received: 27/03/2025)
 - o Hard Landscaping Plan (Drawing ref: SD800-14D)
 - o Site Sections (Drawing ref: SD800-12B)
 - o Proposed First Floor Plan & Elevations (Drawing ref: SD800-11C)
 - o Proposed Ground Floor & Elevations (Drawing ref: SD800-10C)
 - o Block and Location Plan (Drawing ref: SD800-00D)
 - o Garden Cottage Rhiwderin Green Infrastructure Statement v1 Oct 2024 (Received: 20/12/2024)
 - o Bat Survey Garden Cottage Newport. (Received: 20/12/2024)
 - o 2024-06 Site Assessment Report - Garden Cottage (Received: 20/12/2024)
 - o Design & Access Statement (Received: 20/12/2024)
 - o Garden Cottage Rhiwderin Soft Landscape Planting and Maintenance Schedule v1 (Received: 20/12/2024)
 - o Volume Mapping (Drawing ref: SD800-13)
 - o Existing Elevations (Drawing ref: SD800-002)
 - o Soft Landscape Plan (Drawing ref: 24/1053/03)
 - o Existing Plans (Drawing ref: SD800-01)

Reason: In the interests of clarity and to ensure the development complies with the submitted plans and documents on which this decision was based.

2. No building shall be occupied until a sustainable drainage system for the site has been completed in accordance with the details first submitted to and agreed in writing by the local planning authority. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.
REASON: To ensure the site is served by a surface water drainage in accordance with Policy SP3 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
3. The development hereby approved shall be carried out in accordance with the recommendations and mitigation measures as set out within Sections 9 and 10 of the Bat Survey by Ecological Services Ltd. Version V1.0.
REASON: In the interests of protected species in accordance with Policy GP5 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
4. Prior to the commencement of development details and drawings of all boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained for the duration of the use.
REASON: In the interests of character and appearance in accordance with Policy GP6 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
5. Prior to the commencement of the use of the dwelling hereby approved, full details of the bin storage, to include elevations and finish detail, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as approved and then maintained thereafter in that state.
Reason: To ensure adequate bin storage is provided for the site in the interest of visual and residential amenity in accordance with Policies GP6 and W3 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting that Order), Schedule 2, Part 1, no development within Classes A, B, C, D, or E shall be carried out without the prior written permission of the Local Planning Authority.
REASON: To protect the open countryside character in accordance with Policy H12 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
7. The scheme of landscaping, tree planting and management schedule hereby approved shall be carried out in its entirety by a date not later than the end of the full planting season immediately following the completion of the development. Thereafter the trees and shrubs shall be maintained for a period of 5 years from the date of planting and any which die or are damaged shall be replaced and maintained until satisfactorily established. For the purpose of this condition, a full planting season shall mean the period from October to April.
Reason: To secure the satisfactory implementation of the proposal.
8. The development shall be carried out in full compliance with the Arboricultural Impact Assessment & Method Statement (Received: 27/03/2025).
REASON: To protect important landscape features in accordance with Policy GP6 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
9. Prior to commencement of construction of the dwelling hereby approved, the existing dwelling known as Garden Cottage shall be fully demolished and all resultant material shall have been fully removed from the site.
REASON: To protect the open countryside character in accordance with Policy H12 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
10. The curtilage of the dwellinghouse hereby approved shall be limited to the area as shown by the red edge on drawing Block and Location Plan (Drawing ref: SD800-00D).
REASON: To protect the open countryside character in accordance with Policy H12 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
11. No use shall be made of the building hereby approved until the parking and access areas have been provided and surfaced as indicated on the plan(s) hereby approved. Thereafter, these areas shall be kept available for those purposes at all times.
Reason: To ensure that adequate off-street parking provision is made in the interests of highway safety in accordance with Policies GP4 and T4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
12. No part of the development shall be brought into use until visibility splays of 2 metres by 2 metres have been provided on each side of the access. The depth shall be measured from the back of footway/verge; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6 metres above highway. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times. Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety in accordance with Policies GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
13. No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development. Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety in accordance with Policies GP4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
14. Prior to the commencement of the use of the dwelling hereby approved, full details of the bicycle storage, to include elevations and finish detail, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented as approved and then maintained thereafter in that state.
Reason: To ensure adequate bicycle storage is provided for the site in the interest of encouraging active travel in accordance with Policies T4 of the Newport Local Development Plan 2011 - 2026 (Adopted January 2015).
15. Prior to the occupation of the dwelling hereby approved, an electric vehicle charging point shall have been provided in accordance with details which shall have previously been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of air quality and sustainability, and to ensure compliance with policies SP1 and GP7 of the Newport Local Development Plan.

NOTE TO APPLICANT

The development shall be carried out fully in accordance with the proposals shown in the application and in the plans and particulars accompanying such application as varied and amended by this permission.

This decision notice is issued in respect of Planning Permission only and does not convey any approval which may be required under any other legislation or provisions, such as, but not limited to, Highways and Building Regulations. For advice on the requirements of the Building Regulations and allied legislation, and/or whether there is a need for a Building Regulations submission, please contact the Council's Building Control Section on 01633 656656 or email building.control@newport.gov.uk. For advice on obtaining relevant permissions from the Highway Authority, please contact highway.planning@newport.gov.uk

Where there are conditions which require details to be approved prior to the commencement of development, failure to submit these details prior to commencement of development may result in the permission being invalidated.

The Local Planning Authority has a target to determine Discharge of Condition applications within 8 weeks of receipt of the details, and so you are advised to programme any work accordingly.

The plans have been assessed on the basis of the scale or dimensions stipulated and any statement of 'do not scale' (or similar) has been disregarded.

1. The development plan for Newport is the Newport Local Development Plan 2011 - 2026 (Adopted January 2015). Policies SP1, SP2, SP5, GP1, GP2, GP4, GP5, GP6, GP7, H12, T4 and W3 were relevant to the determination of this application.
2. Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/europeanprotected-species/?lang=en>.
3. The proposed development (including any demolition) has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required.
4. It is an offence to carry out any works within the public highway without permission of the Highway Authority. This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980 the Highway Authority must specify the works to be carried out and only the Highway Authority or contractor approved by the Highway Authority can carry out the works. Therefore prior to commencing any works that affect the access you must contact the Council's Highway Maintenance Team for further details. The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980.

Signed on behalf of the Council



Newport City Council
Regeneration and Economic Development
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Pennaeth Adfywio a Datblygu Economaidd / Head of Regeneration and Economic Development
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Application Number: 24/1032

Decision Date: 29th May 2025

IMPORTANT! PLEASE READ THE NOTES ON THE REVERSE OF THIS FORM

Notes for Applicants

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Appeals to the Welsh Government

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission or grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act (as amended).
- Appeals must be made within a prescribed time period that is dependent on the application type. These time periods along with further information on the appeals process are available here and should be checked immediately: [Planning appeals | Sub-topic | GOV.WALES](#)
- Appeals in respect of:
 - Householder and 'minor commercial' development must be received within 12 weeks from the date of the decision notice;
 - Advertisement consent applications must be received within 8 weeks from the date of the decision notice; and,
 - Other types of planning application must be received within 6 months from the date of the decision notice.

Appeal forms can be downloaded at Planning Casework (gov.wales) or are obtainable from Planning and Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ, email PEDW.Casework@gov.wales

- The Welsh Ministers can allow a longer period for giving notice of an appeal, but are not normally prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Welsh Ministers do not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).